



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/498,773  
Applicant : Anila Bhan  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

July 9, 2004

**Declaration Under 37 C.F.R. 1.131**

I, Anila Bhan, declare as follows:

1. I, along with Lars Holmberg, are the joint inventors of the invention described and claimed in the patent application identified above. I make this declaration alone as my joint inventor, Lars Holmberg, is on an extended holiday and is unable to be reached for signing. I have made attempts to contact him and have been unsuccessful in reaching him.

2. Prior to February 4, 1999, Mr. Holmberg and I had completed the invention as described and claimed in the above referenced application. This completion is evidenced by experimental work completed in the United States of America as follows:

✓

a) as shown in Exhibit A, attached hereto, prior to February 4, 1999, a number of oligonucleotides were synthesized attached to a matrix within a column and, according to the methodology of the invention described and claimed in the above-referenced patent application, were subsequently deprotected (by use of deprotecting reagents diethylamine and/or triethylamine which remove the phosphate protecting groups) while still attached to the support matrix (one lot, designated regular deprotection or normal conditions was not subjected to this treatment for control purposes). The deprotected oligonucleotides were subsequently eluted from the support matrix and subjected to conventional deprotection by ammonium hydroxide (as was the control sample).

b). Some of the eluted oligonucleotides were analyzed by HPLC. The chromatograms generated by the analyses are also contained within Exhibit A and clearly demonstrate the isolation of the oligonucleotides without the n+ impurities when subjected to deprotection with the DEA. The n+ impurities are clearly seen in the control sample as the smaller peaks immediately adjacent to the full length product peak.

c). All of this experimental work was carried out prior to February 4, 1999. The documents presented in Exhibit A are true photocopies of the original notebook pages and HPLC Chromatograms except that the dates have been deleted. All dates deleted from these documents relevant to the performance experimental work are prior to February 4, 1999.

I, Anila Bhan declare that all statements above made of my own knowledge are true and that all statements made on information and belief are believed to be true, and am aware that willful and false statements and alike are punishable by fine or imprisonment, or both, under Section 18 § USC 1001, and may jeopardize the validity of the above-referenced patent application, or any patent issuing thereon.

**DATE**

**INVENTOR SIGNATURE**

July 9, 04

Anila Bhan

BHAN, Anila